

Order

Michigan Supreme Court
Lansing, Michigan

September 14, 2007

Clifford W. Taylor,
Chief Justice

133154

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 133154
COA: 274819
Wayne CC: 05-001492-01

ERNEST GRAY JACKSON,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the December 14, 2006 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court. The denial is without prejudice to the defendant's right to file a motion for relief from judgment pursuant to MCR 6.500 *et seq.* Moreover, if defendant chooses to file such a motion, the trial court, and not the Attorney Grievance Commission, would be the appropriate forum to conduct an evidentiary hearing regarding defendant's claim that his counsel had a conflict of interest, should it determine that an evidentiary hearing is required.

CAVANAGH and KELLY, JJ., would remand this case to the trial court for treatment of the defendant's motions as a motion for relief from judgment pursuant to MCR 6.500 *et seq.* and, if necessary, for an evidentiary hearing regarding the defendant's claim that his counsel had a conflict of interest.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 14, 2007

Corbin R. Davis

Clerk